HONOURABLE SRI JUSTICE D.S.R.VARMA
AND
HONOURABLE SRI JUSTICE P.SWAROOP REDDY

TAKEN UP WRIT PETITION NO.2673 OF 2003
Dated:05.06.2006

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All India Crime Prevention League,
Nandyal, Kurnool District.

…Petitioner

The Inspector of Police, One OWK Police Station,
Nandyal, Kurnool District and another.

…Respondents

HONOURABLE SRI JUSTICE D.S.R.VARMA
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ORAL ORDER: *(per Hon'ble Sri Justice D.S.R.Varma)*

Heard the learned Government Pleader for Home appearing for the respondents.

This writ petition is taken up on the basis of a telegram, dated 04.02.2003, sent by an organization namely All India Crime Prevention League, Nandyal, Kurnool District, *inter alia*, complaining that the deceased-

Venkata Subbaiah was allegedly tortured and killed by the Police in the lock-up, but, the same was camouflaged as suicide.

Upon notice, the first respondent- the Inspector of Police, OWK Police Station, Nandyal, Kunrool District, filed counter-affidavit stating that the allegation that the deceased was tortured and killed by the Police is false; that after the death of the deceased a case in Crime No.35 of 2002 was registered under Section-174 of the Code of Criminal Procedure and investigation was conducted; and that the post-mortem examination revealed that the death of the deceased was due to hanging. It is further stated that the deceased was not required in any crime on the file of OWK Police Station, Nandyal, and hence, the question of arresting the deceased and keeping him in the custody of the Police does not arise; that during the course of investigation, the family members of the deceased were also examined, but none of them did raise any doubt as to the cause of the death of the deceased nor there was any complaint from the family members of the deceased about the alleged arrest of the deceased in connection with any crime and further, having regard to the post-mortem certificate and other circumstances, no further action was taken and final report was filed before the Mandal Executive Magistrate, OWK, on 21.05.2002, who, having regard to the said

report, dropped further action in the matter.

Having regard to the facts and circumstances stated in the counter-affidavit of the first respondent, we do not find any merit in this writ petition and the same is liable to be closed.

Accordingly, the writ petition is closed.

D.S.R.VARMA, J

05.06.2006
DR

P.SWAROOP REDDY, J